IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2979 OF 2005

Mr.Mushtaque Amin Shaikh & Ors. ...Applicants

Versus

The State of Maharashtra ...Respondent

.....

Mr.Manoj J.Bhatt for Applicants.

Mr.K.V.Saste, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

MAY 5, 2005.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. In view of the seriousness of the offence and material to indicate complicity of the Applicants in the commission of the crime, not a case for anticipatory bail. Hence, the Application should fail.

3. Counsel for the Applicants, however, contends that names of all the Applicants do not appear in the compliant as filed. There is other evidence already collected, to indicate the complicity of each of the Applicant.

4. As mentioned earlier, in view of the seriousness of the offence, not a case for anticipatory bail. Even while dismissing this Application, limited protection is granted to the Applicants to apply for regular bail, if so advised, on or before 11th May 2005, failing which, it will be open to the Investigating Officer to proceed against the Applicants in accordance with law.

5. The Applicants shall give advance notice to the Investigating Officer before moving the appropriate Court for regular bail.

6. In the meantime, Applicants shall cooperate for the purposes of investigation as and when called upon.

7. Application disposed of on the above terms.

A.M.KHANWILKAR, J.